

PROPOSED REGULATION OF THE
NEVADA DEPARTMENT OF MOTOR VEHICLES

March 21, 2022

Explanation: Matter in *bold italics* is new material; matter in ~~red~~ is material proposing to be omitted.

Purpose: To adopt regulations under the Nevada Administrative Code, as provided by Senate Bill 389 of the 2021 Session, requiring the Department to adopt regulations necessary to implement the provisions specified. The adopted regulations will revise certain procedures with respect to the establishment of peer to peer car sharing, issuance and renewals of business licenses, physical location of office and other matter properly relating thereto.

Authority: NRS 481.051 (Powers and duties of the Director: Generally; delegation) and Senate Bill 389, Chapter 313; Section 30.1.

Section 1. Chapter 482 of NAC is hereby amended by adding thereto the following new sections, 2-7 inclusive.

***Section 2. Licensing of peer to peer car sharing platform: Proof of financial ability to respond to damages.** The Department shall not issue a valid business license to a prospective peer to peer car sharing platform until the owner demonstrates to the Department's satisfaction the owner's financial ability to respond to damages by providing evidence of insurance as that term is defined in NRS 485.034.*

***Section 3. Information required for licensure by the Department.** The Department shall require that all applicants for a car sharing platform business license submit certain information. This information includes, but is not limited to:*

- a. Completed Application for Business Licensure signed by a principal of the business;*
- b. Personal history questionnaire completed by each principal of the business listed on the license application;*
- c. One (1) set of fingerprints submitted by each principal of the business listed on the application;*
- d. Copy of business license and business identification number issued by the Nevada Secretary of State's office;*
- e. Fictitious firm name filing, if applicable;*
- f. The Federal Employer Identification Number (FEIN) of the business;*
- g. An email address for the business;*
- h. Payment of new license or renewal fee as required by the Department at the time the new or renewal application is submitted, and;*
- i. Any other information as required by the Department.*

Section 4. Amount of bond to be posted by car sharing platform. Applicants for licensure as a peer-to-peer car sharing platform must submit with their initial application a surety bond in the amount of \$50,000. After the period of initial licensure, if the business believes that the bond amount is excessive, they may submit an application for reduction of bond amount for the Department's consideration.

Section 5. Established place of business, exemption of car sharing platform. Peer-to-peer car sharing platform business' shall be exempt from the requirement of maintenance of an established, physical place of business within the state of Nevada.

Section 6. Recordkeeping, Department access to certain records of the car sharing platform business, timeframe to keep records. Upon prior notification by the Department, any peer-to-peer car sharing platform operating in the state of Nevada shall make available to representatives of the Department copies of records maintained by the platform relating to car-sharing activities occurring within the state during specified time frames.

Section 7. Car sharing platform businesses to originally submit and renew business license in Department office. Beginning on October 1, 2021 and until further notice, all new peer-to-peer car sharing platforms applying for business licensure in the state must submit their completed applications to a physical, designated Department office for evaluation and approval.